



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 24 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 10990
(SEVENTH REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Members of the Air Transport Association of America, (ATA)
Washington, DC

(See Appendix A to this document for a list of member carriers of ATA)

2. PURPOSE AND LIMITATION:

This exemption authorizes an alternative maintenance/inspection program in lieu of that required in § 173.34(e) for certain DOT specification and non-DOT specification cylinders used as components in aircraft fire suppressant systems and authorizes the transportation in commerce of cylinders maintained and inspected in accordance with this exemption. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.34(e) as specified herein.
5. BASIS: This exemption is based on the application of ATA dated December 29, 1999, submitted in accordance with § 107.109.

FEB 24 2000

Continuation of DOT-E 10990 (7th Rev.)

Page 2

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Bromotrifluoromethane	2.2	UN 1009	N/A

7. SAFETY CONTROL MEASURES:

PACKAGING - Packaging prescribed is a DOT 4DA or 4DS Specification cylinder, or a cylinder manufactured in conformance with DOT Exemption E-5861, E-6071, E-7026, E-7945, or E-8495 that is fabricated from a stainless steel or Nitronic 40 alloy and complies with the alternate maintenance program described herein.

The alternate maintenance program, authorized in lieu of the retest requirements prescribed in § 173.34(e), is as follows:

(a) The cylinders covered under this exemption are used exclusively in fire suppressant systems for engines, cargo bays or in Auxiliary Power Units (APU), in transport category airplanes operated and maintained by the ATA member carriers listed in Appendix A to this exemption.

(b) Each charged cylinder is hermetically sealed and installed as a part of a specific design type installation by the original airframe manufacturer, or in accordance with an installation procedure approved by FAA.

(c) Each cylinder must be identified by its part and serial number, and the DOT specification or applicable exemption number under which that cylinder is manufactured.

(d) Periodic maintenance/inspection program:

(i) Each ATA member covered by this exemption must establish a written periodic maintenance/inspection program specifically for the

FEB 24 2000

cylinders covered by this exemption which must comply with the airframe and cylinder manufacturer's recommendations. The periodic maintenance/inspection program must be a supplementary part to FAA certificate holder's manual as required under 14 CFR Subpart L § 121.369. A copy of the maintenance/inspection program from each member must be on file with ATA.

(ii) Each cylinder must be periodically inspected to ensure that the required internal pressure and weight of contents is maintained, and that the valving, safety relief devices, mounting brackets, and associated instrumentation are secure and acceptable for continued safe service.

(iii) Any cylinder removed from an aircraft for any reason must be inspected to determine that the required internal pressure and weight of contents is within acceptable limits and that there is no visual evidence of degradation of the cylinder or attached appurtenances. Cylinders showing degradation or loss of contents must be retested and requalified as prescribed in § 173.34(e).

(iv) Cylinders discharged for any reason must be retested as prescribed in § 173.34(e).

(v) Cylinders may remain in service without the required periodic retesting, reinspection and marking as prescribed in § 173.34(e) so long as they meet the criteria contained in paragraphs 7(d)(i), 7(d)(ii) and 7(d)(iii) and are not discharged for any reason.

(vi) Each ATA member covered by this exemption shall institute a monitoring program to collect information pertaining to discrepancies, and action taken on each cylinder under the maintenance/inspection program as well as detailed information on all cylinders in the population which must be retested as required by § 173.34(e). The data must be entered on the

FEB 24 2000

"High Pressure Cylinder Maintenance Data Sheet"
attached as Appendix B to this exemption.

8. SPECIAL PROVISIONS:

a. Packages covered by this exemption, which are removed from aircraft, may be offered for transportation for repair, reconditioning, retest, or maintenance. Persons who may use this provision are the ATA members listed in Appendix A, and a DOT approved repair, retest and refill facility.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

c. MARKING - Each cylinder covered by this exemption must be plainly and durably marked "DOT-E 10990" in proximity to existing DOT markings.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be maintained as a part of the maintenance/inspection and retest records by each ATA member covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

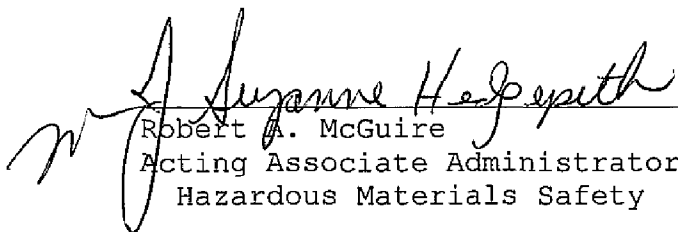
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of

this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety

FEB 24 2000

(DATE)

Address all inquiries to: Associate Administrator for
Hazardous Materials Safety, Research and Special Programs
Administration, Department of Transportation, Washington, D.C.
20590.

Attention: DHM-31.

The original of this exemption is on file at the above office.
Photo reproductions and legible reductions of this exemption
are permitted. Any alteration of this exemption is
prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S.
Department of Transportation, 400 7th Street, S.W.,
Washington, DC 20590-0001, Attention: Records Center, 202-366-
5046.

Dist: FAA, FHWA, FRA
PO: KFW

FEB 24 2000

Continuation of DOT-E 10990 (7th Rev.)

Page 6

APPENDIX "A"

ATA MEMBER AIRLINES

Airborne Express, Seattle, WA
Alaska Airlines, Seattle, WA
Aloha Airlines, Honolulu, HI
American West Airlines, Phoenix, AZ
American Airlines, Dallas-Fort Worth International Airport, TX
American Trans Air, Indianapolis, Indiana
American West Airlines, Phoenix, Arizona
Atlas Air, Golden, CO
Continental Airlines, Houston, TX
Delta Air Lines, Atlanta, GA
DHL Airways, Redwood City, CA
Emery Worldwide, Redwood City, CA
Evergreen International Airlines, McMinnville, OR
Federal Express, Memphis, TN
Hawaiian Airlines, Honolulu, HI
Midwest Express Airlines, Oak Creek, WI
Northwest Airlines, St. Paul, MN
Polar Air Cargo, Long Beach, CA
Reeve Aleutian Airlines, Anchorage, AK
Southwest Airlines, Dallas, TX
Trans World Airlines, St. Louis, MO
United Airlines, Chicago, IL
United Parcel Service, Atlanta, GA
US Airways, Arlington, VA

ASSOCIATE MEMBERS

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Canadian Airlines International, Calgary, Alberta, Canada
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